



Order Filed on March 15, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS Citron, LLC
Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-8886
Nationstar Mortgage LLC d/b/a Mr. Cooper
Aleisha C. Jennings 049302015

In Re:

Charles J Specht,
aka 43 North Main, LLC,
Debtor,

Case No.: 18-32249-KCF

Chapter: 13

Hearing Date: March 13, 2019

Judge: Kathryn C. Ferguson

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF FROM
THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through four (4), is hereby
ORDERED.

DATED: March 15, 2019

Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Page 2

Secured Creditor: Nationstar Mortgage LLC d/b/a Mr. Cooper

Secured Creditor's Counsel: RAS Citron, LLC

Debtors' Counsel: Joan Sirkis Warren

Property Involved ("Collateral"): 42 W DORY LITTLE EGG HARBOR, NEW JERSEY 08087

Relief sought:

- Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 4 months from 12/01/2018 through 03/01/2019.
- The Debtor is overdue for 4 payments from 12/01/2018 through 03/01/2019 at \$1,197.51 per month.
- The Debtor is assessed for _____ late charges at \$_____ per month.

Funds Held In Suspense \$0.00

Total Arrearages Due \$4,790.04.

2. Debtor must cure all post-petition arrearages, as follows:

- Immediate payment shall be made in the amount of \$2,396.26. Payment shall be made no later than March 20, 2019.
- Beginning on 04/01/2019, regular monthly mortgage payments shall continue to be made in the amount of \$1,197.51.
- Beginning on 04/15/2019, monthly cure payments shall be made in the amount of \$398.96 for 5 months with a sixth (6) and final payment in the amount of \$398.98 on 09/15/2019.

3. Payments to the Secured Creditor shall be made to the following address(es):

- Regular monthly payment: Nationstar Mortgage LLC
ATTN: Bankruptcy Dept
PO Box 619094

Dallas, Texas 75261-9741

■ Monthly cure payment:

Nationstar Mortgage LLC

ATTN: Bankruptcy Dept

PO Box 619094

Dallas, Texas 75261-9741

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order.



Joan Sirkis Warren
Attorney for Debtor(s)
Date:

/s/Aleisha C. Jennings

Aleisha C. Jennings
Attorney for Secured Creditor
Date: 3/13/2019

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
 Charles J Specht
 Debtor

Case No. 18-32249-KCF
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Mar 18, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 20, 2019.

db +Charles J Specht, 114 Rake Factory Road, Flemington, NJ 08822-5625

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 20, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 18, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com
 Aleisha Candace Jennings on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper ajennings@rasflaw.com
 Jeffrey A. Lester on behalf of Creditor RCN Capital Funding, LLC jlester@bllaw.com
 Joan Sirkis Warren on behalf of Debtor Charles J Specht joan@joanlaverylaw.com
 Laura M. Egerman on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com
 Laura M. Egerman on behalf of Creditor Nationstar Mortgage LLC d/b/a Champion Mortgage Company bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com
 Rebecca Ann Solarz on behalf of Creditor Deutsche Bank National Trust Company, as Trustee for J.P. Morgan Mortgage Acquistion Trust 2007-CH5, Asset Backed Pass-Through Certificates, Series 2007-CH5 rsolarz@kmllawgroup.com
 Sindi Mncina on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper smncina@rascrane.com
 U.S. Trustee USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 9